

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

SHAWN DAVID,

Plaintiff,

v.

Case No.: 2:21-cv-489-SPC-NPM

GATEWAY ONE LENDING &  
FINANCE, LLC, PENTAGON  
FEDERAL CREDIT UNION,  
ALLIANT CREDIT UNION, BANK  
OF AMERICA CORPORATION,  
DISCOVER BANK, NAVY  
FEDERAL CREDIT UNION,  
TRANSUNION, LLC, EXPERIAN  
INFORMATION SOLUTIONS,  
INC. and EQUIFAX  
INFORMATION SERVICES, LLC,

Defendants.

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**ORDER**<sup>1</sup>

This matter comes before the Court on review of the file. Plaintiff Shawn David sues Defendants for violating the Fair Credit Report Act. ([Doc. 1](#)). The Court issued a FCRA Fast Track Scheduling Order, which resulted in almost all Defendants settling. ([Doc. 92](#); [Doc. 94](#); [Doc. 95](#); [Doc. 97](#); [Doc. 98](#); [Doc. 99](#);

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<sup>1</sup> Disclaimer: Documents hyperlinked to CM/ECF are subject to PACER fees. By using hyperlinks, the Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide, nor does it have any agreements with them. The Court is also not responsible for a hyperlink's availability and functionality, and a failed hyperlink does not affect this Order.

[Doc. 101](#); [Doc. 102](#); [Doc. 104](#)). As to the settling Defendants, the Court will administratively close or enter judgment per the parties' respective papers.

All that remains is Plaintiff's claim against Defendant Bank of America Corp. ([Doc. 103](#)). Because it survives, Plaintiff and Bank of America must file an FCRA Fast-Track Case Management Report per the FCRA Fast-Track Scheduling Order. ([Doc. 20](#)).

Accordingly, it is now

**ORDERED:**

(1) Plaintiff's case as against Defendants Experian Information Solutions, Inc., TransUnion, LLC, Discover Bank, Pentagon Federal Credit Union, and Equifax Information Services, LLC is **ADMINISTRATIVELY CLOSED** per [Local Rule 3.09\(b\)](#).

a. This action as to Defendants Experian, TransUnion, Discover Bank, Pentagon, and Equifax is **DISMISSED without prejudice** subject to the right of a party to move to reopen the case for entry of a stipulated final order or a judgment or for further proceedings on or before **December 30, 2021**. See ([Doc. 92](#); [Doc. 94](#); [Doc. 101](#); [Doc. 102](#); [Doc. 104](#)).

b. If no party files an appropriate paper by the December 30 deadline, then the Clerk is **DIRECTED** to dismiss the action

with prejudice and enter judgment as to those Defendants without further order.

c. The Clerk is now **DIRECTED** to administratively close this case as to Defendants Experian, TransUnion, Discover Bank, Pentagon, and Equifax.

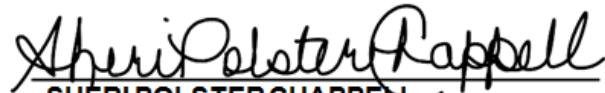
(2) Plaintiff's case as to Defendant Gateway One Lending & Finance, LLC is **DISMISSED without prejudice** per [Federal Rule of Civil Procedure 41\(a\)\(1\)\(A\)\(ii\)](#). *See* ([Doc. 95](#)). The Clerk is **DIRECTED** to enter judgment accordingly as to Gateway.

(3) Plaintiff's case as to Defendants Navy Federal Credit Union and Alliant Credit Union is **DISMISSED with prejudice** per [Federal Rule of Civil Procedure 41\(a\)\(1\)\(A\)\(ii\)](#). *See* ([Doc. 98](#); [Doc. 99](#)). The Clerk is **DIRECTED** to enter judgment accordingly as to those Defendants.

(4) Defendant Navy Federal Credit Union's counterclaim is **DISMISSED without prejudice** per [Federal Rule of Civil Procedure 41\(a\)\(1\)\(A\)\(ii\)](#). *See* ([Doc. 97](#)). The Clerk is **DIRECTED** to enter judgment accordingly.

(5) This action remains **OPEN** as to Defendant Bank of America Corporation **only**.

**DONE** and **ORDERED** in Fort Myers, Florida on November 30, 2021.

  
**SHERI POLSTER CHAPPELL**  
**UNITED STATES DISTRICT JUDGE**

Copies: All Parties of Record